

Amendment No. 1 to SB1307

Bailey
Signature of Sponsor

AMEND Senate Bill No. 1307*

House Bill No. 1361

by deleting all language after the enacting clause and substituting:

SECTION 1. This act is known and may be cited as the "Right to Call for Help Act."

SECTION 2. Tennessee Code Annotated, Title 66, Chapter 7, is amended by adding the following as a new section:

(a) A landlord shall not prohibit or limit a resident's or tenant's right to summon law enforcement or other emergency assistance by or on behalf of a victim of abuse, a victim of a crime, or an individual experiencing a health, mental health, or other emergency.

(b) A landlord shall not impose a penalty, monetary or otherwise, on a resident or tenant based on the resident or tenant exercising a right under subsection (a) to summon law enforcement or other emergency assistance.

(c) As used in this section "penalty" includes, but is not limited to:

(1) The actual or threatened assessment of fines; and

(2) The actual or threatened eviction of the resident or tenant from the premises.

(d) This section does not permit a breach of a lease or of law by a residential tenant, including, but not limited to, disturbing the peace and quiet of other tenants, damage to property, disorderly conduct, or abuse of the 911 system as prohibited by state law.

(e) This section does not prohibit a landlord from terminating, evicting, or refusing to renew a tenancy or rental agreement when the action is premised on grounds

other than the resident's or tenant's exercise of the right to summon law enforcement or other emergency assistance by or on behalf of a victim of abuse, a victim of crime, or an individual experiencing a health, mental health, or other emergency.

(f) An ordinance, rule, or regulation of a city, county, or other governmental entity shall not authorize imposition of a penalty against a landlord, owner, resident, or tenant because the landlord, owner, resident, or tenant was a victim of abuse or crime.

(g) An ordinance, rule, or regulation of a city, county, or other governmental entity shall not authorize imposition of a penalty against a landlord, owner, resident, or tenant because the landlord, owner, resident, or tenant sought law enforcement assistance or other emergency assistance for a victim of abuse, a victim of a crime, or an individual in an emergency if:

(1) The landlord, owner, resident, or tenant seeking assistance had a reasonable belief that the emergency assistance was necessary to prevent the perpetration or escalation of the abuse, crime, or emergency; or

(2) In the event of abuse, crime, or other emergency, the emergency assistance was actually required.

(h) Except as provided in subsections (f) and (g), this section does not prohibit a city, county, or other governmental entity from enforcing any ordinance, rule, or regulation.

(i) A right granted under this section to owners, landlords, residents, or tenants may not be waived. A waiver of such right is contrary to public policy and void.

SECTION 3. Tennessee Code Annotated, Title 66, Chapter 28, Part 3, is amended by adding the following as a new section:

(a) A landlord shall not prohibit or limit a resident's or tenant's right to summon law enforcement or other emergency assistance by or on behalf of a victim of abuse, a victim of a crime, or an individual experiencing a health, mental health, or other emergency.

(b) A landlord shall not impose a penalty, monetary or otherwise, on a resident or tenant based on the resident or tenant exercising a right under subsection (a) to summon law enforcement or other emergency assistance.

(c) As used in this section "penalty" includes, but is not limited to:

(1) The actual or threatened assessment of fines; and

(2) The actual or threatened eviction of the resident or tenant from the premises.

(d) This section does not permit a breach of a lease or of law by a residential tenant, including, but not limited to, disturbing the peace and quiet of other tenants, damage to property, disorderly conduct, or abuse of the 911 system as prohibited by state law.

(e) This section does not prohibit a landlord from terminating, evicting, or refusing to renew a tenancy or rental agreement when the action is premised on grounds other than the resident's or tenant's exercise of the right to summon law enforcement or other emergency assistance by or on behalf of a victim of abuse, a victim of crime, or an individual experiencing a health, mental health, or other emergency.

(f) An ordinance, rule, or regulation of a city, county, or other governmental entity shall not authorize imposition of a penalty against a landlord, owner, resident, or tenant because the landlord, owner, resident, or tenant was a victim of abuse or crime.

(g) An ordinance, rule, or regulation of a city, county, or other governmental entity shall not authorize imposition of a penalty against a landlord, owner, resident, or tenant because the landlord, owner, resident, or tenant sought law enforcement assistance or other emergency assistance for a victim of abuse, a victim of a crime, or an individual in an emergency if:

(1) The landlord, owner, resident, or tenant seeking assistance had a reasonable belief that the emergency assistance was necessary to prevent the perpetration or escalation of the abuse, crime, or emergency; or

(2) In the event of abuse, crime, or other emergency, the emergency assistance was actually required.

(h) Except as provided in subsections (f) and (g), this section does not prohibit a city, county, or other governmental entity from enforcing any ordinance, rule, or regulation.

(i) A right granted under this section to owners, landlords, residents, or tenants may not be waived. Any waiver of such right is contrary to public policy and void.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.